

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the consultative meeting of Licensing and Enforcement Committee held Online via the Zoom app on 17 November 2021**

#### **Attendance list at end of document**

The meeting started at 11.00 am and ended at 12.25 pm

#### **10 Public Speaking**

There were no members of the public registered to speak.

#### **11 Minutes of the previous meeting held on 21 July 2021**

The minutes of the meeting held on 21 July 2021 were recommended for approval by Senior Officers.

#### **12 Declarations of interest**

There were no declarations of interest.

#### **13 Matters of urgency**

There were no matters of urgency.

#### **14 Confidential/exempt item(s)**

There was one item which Officers recommended should be dealt with in this way.

#### **15 Quarterly Update Report**

A report from the Licensing Manager provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005, Taxi Legislation and General Licensing including Street Trading and Pavement Licences. The report, which covered the period from July to November 2021, informed the Committee of work undertaken and covered strategic or national updates for each area of work that the Licensing Team oversees.

The Licensing Manager highlighted the following points from the report:

- Regarding taxi vehicle and driver licences, it was noted that numbers have fallen nationally, largely due to the Covid-19 pandemic, however, East Devon is one of the few areas which has seen a slight upturn.
- It was noted that legislation requiring tax checks as a condition applying to all licence applications for taxi and private hire drivers will come into effect in April 2022
- Licensing Officers and Members had attended a webinar regarding an update on the new Statutory Standards which should be incorporated within existing taxi policies
- A key area of work for EDDC, as for all other Devon licensing authorities, will be signing up to the national taxi refusal database, NR3, which will become a legal requirement. This will allow secure information sharing on revoked or refused

licences. The recent consolidation of staffing levels in the Licensing Team will support the additional work load due to this requirement.

- Regarding mandatory training for Members, further dates are expected to be available next year which should assist with increasing the pool of trained Councillors able to sit on hearings.

In response to the report, the following points were discussed:

- The increase in Licensing Act applications, together with the pressure on staffing levels, had not resulted in work not being undertaken, however, it had impacted on the pro-activity of the Licensing Team.
- Premises notifying the licensing authority of gaming machines are checked and it is hoped that inspections can increase next year due to the consolidation of staffing levels.
- It was noted that StreetScene undertakes its own consultations for events on EDDC land and that these may be less detailed than licensing consultations. The Licensing Manager would raise this point with StreetScene.

The Committee wished to record its thanks for the high performance of the Licensing Team in very difficult circumstances recently.

The Licensing Manager's update report was accepted and noted by the Committee.

## 16 **Gambling Policy Report**

The Licensing Manager presented his report regarding the tri-annual review of the Council's Gambling Policy and policy adoption. It was noted that it is a legal requirement of the Gambling Act 2005 for the Council to determine a Gambling Policy in order to carry out its statutory functions under the Act. The Committee and Officers must have regard to the Gambling Licensing Policy when deciding upon licence applications and the Policy must be reviewed at least every three years. As the Policy was last reviewed in 2019, an amended Policy must be adopted by the Council by 31 January 2022.

The Licensing Manager highlighted the following points:

- The consultation timeline was set out at 1.6 in the report and it was noted that the response had been low.
- Development of a Local Area Profile had started and work is on-going.
- Under the Gambling Act 2005 the Council can adopt a 'No Casinos' resolution.

Discussion by Members highlighted the benefits of adopting a 'No Casinos' policy which included protecting children and disadvantaged groups most likely to suffer from the effects of gambling. A 'No Casinos' policy would also link with the Council's adopted Anti-poverty Strategy.

The Committee noted the results of the public consultation undertaken on the Council's draft Policy relating to the Gambling Act 2005.

### **RECOMMENDATIONS TO FULL COUNCIL**

1. That, at its meeting on 8 December 2021, Council adopts for the period 31 January 2022 to 31 January 2025 the East Devon Gambling Act Licensing Policy
2. That Council resolves to adopt a 'No Casino' policy as part of its Gambling Act 2005 statutory policy.

17 **Taxi Fare Tariff Report**

The Licensing Manager presented his report which asked that the Committee considers a request from East Devon Hackney Carriage Licensees to increase the current Taxi Fare Tariff and to adopt a new Hackney Carriage fare table. The current tariff and information setting out the background to the request was contained in the appendices to the report.

The report recommended that a period of three months be allowed for Officers to provide more detailed information and with a revised table of fares before the Committee considers whether to proceed with or decline the request for an increase.

Having considered the report and noted the request to increase the current Hackney Carriage Table of Fares, the Committee agreed that Licensing Officers scope the work within the next 3 – 4 months.

18 **Confidential / exempt item**

There is one item to follow which Officers recommend should be dealt with after the public and press have been excluded, in accordance with local government legislation.

The Chair thanked those who had been watched the meeting online.

Accordingly, the public part of this meeting ended and the live stream to YouTube was switched off

19 **Report Regarding Suspension of Licensed Drivers**

The Licensing Manager presented a report updating the Committee with regard to the suspension of licensed drivers.

The report was noted and it was agreed that the Licensing Manager draft a letter to the Police and Crime Commissioner and the Chief Officer (Devon and Cornwall Police) requesting improved recording keeping and a more expeditious exchange of information which impacts on the work of the licensing authority.

**Attendance List**

**Councillors present:**

J Whibley (Chair)  
K Bloxham (Vice-Chair)  
M Chapman  
P Jarvis  
P Millar  
G Pratt  
B Taylor  
T Wright

**Councillors also present (for some or all the meeting)**

None

**Officers in attendance:**

Sarah Helman, Democratic Services Officer

Sarah Jenkins, Democratic Services Officer

Lucy Maxwell, Licensing Officer

Giles Salter, Solicitor

Stephen Saunders, Licensing Manager

**Councillor apologies:**

A Dent

S Gazzard

M Hartnell

T Woodward

Chair .....

Date: .....